



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Ronald Sklansky
Clearinghouse Director

Richard Sweet
Clearinghouse Assistant Director

Terry C. Anderson
Legislative Council Director

Laura D. Rose
Legislative Council Deputy Director

CLEARINGHOUSE RULE 05-049

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated January 2005.]

2. Form, Style and Placement in Administrative Code

a. The preface to the rule should include the items referred to in s. 1.02 (2) 10. to 12., Manual.

b. Because various subunits of s. Comm 3.02 are not treated, they need not be shown in the rule. Consequently, the treatment clause of SECTION 3 should be redrafted as follows: “Comm 3.001 to 3.01 are amended to read:”. Then, SECTION 3m of the rule could be created dealing with the treatment of s. Comm 3.02, as follows: “Comm 3.02 (intro.), (1), (3), (8) and (9) are amended to read:”.

c. The note to s. Comm 3.10 appears to contain substantive material which would be better placed in a substantive provision of the rule rather than a note. Also, the phrase “these rules” should be replaced by the phrase “this chapter.”

4. Adequacy of References to Related Statutes, Rules and Forms

In s. Comm 3.13 (4) (a), the phrase “under sub. (3)” should, it appears, be inserted after the word “administrator.”

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. The word “title” in the treatment clauses of SECTIONS 1 and 2 of the rule should be enclosed in parentheses.

b. In s. Comm 3.13 (1) (b), it would appear that the word “activity” should be replaced by the phrase “construction, installation, operation, or activity” so as to be consistent with the language in the introductory material.

c. Presumably, the sign or notice authorized to be posted in s. Comm 3.13 (2) (c), is to be posted at the site to which the stop work or stop use order applies. However, for the sake of clarity, the rule should specify the location where the sign or notice will be posted.